

OLL 83-2685

4 November 1983

MEMORANDUM FOR: General Counsel
Deputy General Counsel

FROM:
Chief, Legislation Division, OLL

SUBJECT: Department of State Authorization Bill
(H.R. 2915)

REFERENCE: Memorandum to Director, Office of Legislative
Liaison, from General Counsel,
dated 26 October 1983, OGC 83-08798

1. This memorandum is written to apprise you of our Office's efforts concerning three provisions contained in the 1984 Department of State Authorization Bill which are potentially inimical to Intelligence Community interests.

2. With respect to the first provision referred to in your memorandum, which prohibits all forms of U.S. assistance to narcotics producing countries which fail to take effective action to reduce narcotics production, has been in touch with staff members of our oversight committees and the House Foreign Affairs and Senate Foreign Relations Committees, and representatives of the State Department concerning the above amendment authored by Senator Hawkins. A talking points paper (attached at Tab A) describing the Agency's concerns with this amendment has been provided to staff members of each of the above committees. In addition, a proposed amendment to this provision which narrows the definition of "United States assistance" so as to exclude authorized CIA activities has also been provided by Karen to members of the above committees and is attached at Tab B. I am informed by Karen that this provision will not be considered by the Conference Committee until next Tuesday when the Committee reconvenes at 3:00 p.m. Indications from the State Department, which has been leading the opposition to this provision, are that the House conferees will oppose Senator Hawkins' amendment and that they will be successful in having the amendment deleted from the final version of the Act.

3. With respect to Senator Mathias' amendment freezing implementation of the prepublication review requirements of National Security Decision Directive 84 to that practice in place at agencies as of 1 March 1983, this amendment was agreed to by the conferees on 2 November with no discussion or objection being offered by any member. As you know, [redacted] met with staff members representing Senators Eagleton and Mathias yesterday and attempted to try to reach an agreement which would limit the duration or scope of the amendment's impact on the Executive Branch. These staff members were adamant in refusing to negotiate on any dilution of this amendment and indicated that they would be conducting further hearings on this subject some time in the near future which would be intended to produce a body of evidence that would support the elimination of the entire prepublication review program within the federal Government. [redacted] indicated after this meeting that in light of the various amendments that were added to the State Authorization Bill on the Senate floor, that the Administration may have to actively consider vetoing this bill if certain of these provisions remain following the Conference Committee's action.

5. If you have any further questions on this matter, do not hesitate to contact me [redacted]

Attachments

Distribution:

Original - Addressee
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SWH:csh (4 November 1983)

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